

# Official Minutes for Webb County Commissioners Court Meeting

Monday, July 25, 2005 at 1:00 PM  
and continuing Tuesday, July 26, 2005 at 1:00 PM  
(Approved 09-12-2005)

- Item No. 1      Call to order by Judge Louis H. Bruni  
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cynthia Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 22<sup>nd</sup> of July 2005. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2      Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3      Pledge of Allegiance – Led by all

Judge Bruni motioned to move up Item No. 8. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 8      Adoption of a Webb County Commissioners Court Resolution recognizing the plight of the residents of La Presa Colonia, and other similarly situated Webb County Colonias, regarding their lack of basic utilities and appealing to our Legislative Representatives to do everything possible to expedite the connection of utilities in La Presa. (Co-sponsored by the Honorable Frank Sciaraffa, Commissioner Pct. 1)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Tomas Rodriguez, County Engineer, stated that the colonias that would be affected would be Pueblo Nuevo, San Carlos I and II, Las Lomas, Ranchitos 359, and other similar colonias.

Cmr. Gutierrez amended her motion to include the above stated colonias in the resolution. Cmr. Sciaraffa amended his second.

Motion carried 5-0 by unanimous consent.

Judge Bruni stated that the person ultimately at fault was the developer and stated that they should be held accountable.

Ms. Lizette Montiel, Representative Richard Raymond's office, stated that Representative Raymond looked forward to addressing this issue and that she would be present during and after the meeting to address the concerns of the residents.

Cmr. Sciaraffa motioned to move up Item No. 9 since it dealt with a similar issue. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 9      Status report from the Webb County Staff regarding the plat for the La Presa Colonia, with discussion and possible action to direct staff to take steps as necessary to expedite the platting process, and any other matters incident thereto.

Mr. Rafael Vidaurri, Planning Department, stated that there had been some problems due to the different requirements of the city and county. Mr. Homero Ramirez, County Attorney, stated that there needed to be at least one modification needed to be made to the resolution. He recommended that the court include a section stated that the city also needed to take some responsibility and also needed to include section 212.012 in the next to last section.

Cmr. Garza motioned to approve item No. 9 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to accept Mr. Ramirez's recommendations and make appropriate changes to the resolution listed under Item No. 8. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 9      Status report from the Webb County Staff regarding the plat for the La Presa Colonia, with discussion and possible action to direct staff to take steps as necessary to expedite the platting process, and any other matters incident thereto.

Mr. Tomas Rodriguez, County Engineer, stated that he will attend the Planning Advisory Board meeting of August 29<sup>th</sup>. He stated that they will be obtaining permission from the residents prior to platting the property. He stated that it would take approximately one year to finish the platting, including the designing of water

and sewer lines and streets, including obtaining the necessary signature. Mr. Israel Reyna was present to represent the Presa Mangana Hein Community, Inc. He stated that they are comprised of over 160 members who have been working on a road map to obtain water services for their community. He stated that they are not trying to point fingers but are looking for a solution. He stated that the direction being taken by the court is a step in the right direction. He stated that they are not looking for a hand out but have come before the court previously to present a check for monies raised by the community to help jump start the project. Mr. Hilario Martinez, Las Presas president and representative, thanked the court for their assistance in moving this project forward. He presented the children of the colonias to the court, each holding a glass of water and a candle which represents what the residents of the colonias do not want for their children.

Item No. 4      Approval of minutes–June 27<sup>th</sup> and amendment to minutes of April 25<sup>th</sup>

Cmr. Gutierrez motioned to approve the minutes as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 5      Approval of bills, payroll and monthly reports

Ms. Delia Perales, County Treasurer, presented her monthly report ending June 30, 2005 and stated that she was available for any questions the court may have.

Cmr. Gutierrez motioned to accept the Treasurer's Report as presented. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

RECESS (1:51 PM to 2:03 PM)

Item No. 6      Communications

Judge Bruni stated that the Laredo Morning Times had stated that Senate Bill 214 dealt with colonia issues and had been drafted by Senator Judith Zaffirini when in fact it did not deal with colonia issues and had been drafted by Senator Lucio. He stated that Senator Zaffirini has always done what is best for Webb County.

Cmr. Gutierrez echoed Judge Bruni's comments and stated that Senator Zaffirini has been a champion of colonia issues and has worked hard to bring relief to the colonias. She stated that she was surprised to read the article in the Laredo Morning Times.

Cmr. Cortez-Brunner congratulated Cmr. Sciaraffa for taking charge of the First Responders in preparations for Hurricane Emily. She read a letter sent to her by Ms. Norma Peña in which Ms. Peña thanked Mr. Frank Salinas, IHC Director, for the assistance given to her by the Indigent Services Program and congratulated Mrs. Natividad Mireles, Caseworker, for treating her with the utmost respect and care.

## Item No. 7      Public Comment

Ms. Maria T. Gutierrez was present to address the court. She thanked Judge Bruni for placing Item No. 8 on the agenda. She commended Cmr. Sciaraffa for his assistance and wants his to address his constituents so that their needs are also brought to the attention of the senators and representatives. She stated that in regards to Item No. 12, the court and public was advised that \$14,000 was spent without court approval for the cleanup of Mirando City for their annual reunion. She also stated that nothing had been done to correct the injustice done to Mr. Francisco Gonzalez.

Ms. Claudia Cordova was present to address the court on Item No. 4, No. 12 and No. 56. She stated that the county should try and negotiate with the Appraisal District for use of their system at little or no cost instead of purchasing one. She also stated that the clean up at Mirando City has occurred for many years and has never been an issue.

Ms. Sylvia Palumbo, President of the CAA Advisory Board, was present to address the court. She stated that she was against Item No. 17 and requested that the item be tabled until the next meeting. She stated that Article 4, Section 2 of the CAA Advisory Board by-laws stated that the board is to assist in choosing a CAA Director when a vacancy becomes available. She stated that they would like an opportunity to review the applicants and make a recommendation to the court. She stated that the final decision would still be made by the Court but that the CAA Board needed to be involved.

Ms. Ingrid Herrera was present to address the court. She stated that she was concerned about having the CAA Board screen the applicants and felt that it should not be done by them but by the court.

## Item No. 10      Report from tax collection attorneys, Cavazos, Morales, Tijerina, & Montemayor, regarding reinstatement of Ca. # 04TXA000446-D1, Webb County v. Camino Colombia, Inc. et. al., and additional parties, if any to the lawsuit.

Mr. Javier Montemayor Jr. and Mrs. Ana Laura Cavazos Ramirez, Delinquent Tax Attorneys, advised the court that their law firm was successful in reinstating the lawsuit against all parties in this matter except for the State of Texas and Camino Partnership, Inc. Ms. Cavazos-Ramirez stated that they could not be legally kept in the lawsuit and a date has been set in September to try the issues. Mr. Montemayor stated that a roll back was done in 2000 for 1994-1998 taxes when the agriculture status was removed on several properties. He stated that they have identified 13 different ranches and 24 different accounts. Ms. Cavazos-Ramirez stated that they are looking into possibly holding the note holders (banks) responsible as well. She stated that she was not sure about the liability that the note holders would have but would like to discuss this in more detail in Executive Session.

Judge Bruni stated that the court would recess due to the disturbances in the courtroom.

- Item No. 11      Report from Webb County Road and Bridge Superintendent regarding damaging effects on County Roads by Hurricane Emily and the condition of colonia roads after Emily's visit, with discussion and possible action to direct the superintendent to make repairs to any damaged roads as necessary to allow for ingress and egress with relative ease, and to declare a local state of emergency in affected colonias, if need be, in order to effect necessary repairs.

Mr. Jose Luis Ramos, Road & Bridge Superintendent, stated that of all the roads repaired under the Emergency Order declared by Webb County, only a few sustained some puddles. He stated that La Presa Road had the most problems.

Cmr. Sciaraffa motioned to have the Road & Bridge department repair the La Presa Road and any others that sustained damage. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 12      Presentation by Webb County Road and Bridge Superintendent regarding county-wide refuse collection, manner of distribution of that limited resource, with discussion and possible action to adopt the refuse collection schedule as presented by the Superintendent or as modified by the court, and any other matters incident thereto.

Mr. Tomas Rodriguez, County Engineer, stated that they are working on the policy and preparing the handbook. He stated that the figures are based on the 1998 report on residents. He stated that they are presenting a proposed order to the court and have the fees set by the court. He stated that the residents of Laredo pay \$8.50 for refuse collection and requested that a fee of \$20.00 per month per container fee also be reviewed. Cmr. Cortez-Brunner questioned which commercial establishments would be serviced. Mr. Rodriguez stated that it would be the schools, Medina Electric and some restaurants. Cmr. Sciaraffa requested that La Presa be included in the proposed schedule for two days of pick up instead of just one. Mr. Jose Luis Ramos, Road & Bridge Superintendent, stated that there were several warehouses and grocery stores in the area that would be serviced. He also stated that the monies used in the clean up for Mirando City were a budgeted expense. Cmr. Garza questioned on what process would be taken for fee collection and enforcement. Mr. Rodriguez stated that the fee could possibly be collected through CPL, Medina Electric, utilities or the Tax Assessor. Mr. Carlos Villarreal, Executive Administrator, stated that another possible option would be to remove the garbage containers and not continue the service if delinquent in paying.

Judge Bruni stated that no action was needed on this item.

- Item No. 13      Discussion and possible action to grant Final Plat Approval to the bonanza Hills Subdivision, Phase I, and grant a waiver from Section IX.2. (Cross Streets and Dead End Streets).

Mr. Tomas Rodriguez, County Engineer, stated that a letter was submitted to the court on Friday because the project was stopped due to problems with the contractor. He stated that this was not done to slow the project down but stated that it took twenty days to receive the letter of credit from the contractor.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Cmr. Cortez-Brunner inquired as to whether the people purchasing these tracts of land were aware that there was no water or sewer service. Mr. Tomas Rodriguez, County Engineer, stated that since the tracts sold are 10.01 acres, the developers are not required to provide water or sewer service.

Motion carried 5-0 by unanimous consent.

- Item No. 14      Discussion and possible action to transfer remaining funds from acct. no. 001-0200-5601 (Administrative Travel), to acct. no. 001-0200-6205 (Materials and Supplies).

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 15      Discussion and possible action to appoint a representative to the International Trade Advisory Committee.

Cmr. Garza motioned to appoint Mr. Eduardo Portugal. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 16      Discussion and possible action to appoint a new director for the Management Information Systems Department, with possible interviewing by the Court of each applicant in turn.

Judge Bruni requested that all the applicants wait outside until they were called inside. Mr. Homero Ramirez, County Attorney, stated that the court is the primary employer. He stated that as per the bylaws of the Community Action Agency, it was at the discretion of the court to appoint a CAA Director. He stated that since this matter dealt with personnel issues, the court may chose to go into Executive Session. Judge Bruni stated that he would like to give the applicants an opportunity to explain why they should be chosen. Cmr. Sciaraffa stated that he was concerned about the CAA Advisory Board President campaigning for one applicant. Cmr. Gutierrez stated that the CAA Advisory Board President was not campaigning for anyone. She stated that it would be appropriate for everyone to get some time to address the court.

Humberto Benavides – Not present

Keith Borges – Not present

Eduardo Flores – Present

Mr. Eduardo Flores stated that he has worked with Webb County for over twenty-three years. He stated that he has the knowledge and expertise to run the office efficiently and in a manner that will benefit Webb County.

How will your experience help you do this job?

Mr. Flores stated that he started working in the trenches and has worked his way up.

When have you gone above and beyond the call of duty to assist a client?

Mr. Flores stated that he works equally with all of the departments and has kept the lines of communication open to be able to assist the departments with any problems or complaints they may have.

What steps were taken to assess any water damage to the equipment during recent storms that caused flooding in county buildings?

Mr. Flores stated that he and the staff worked 30-36 hour shifts in order to relocate the mainframes and re-wire the affected areas.

What is your IT background?

Mr. Flores stated that he has an Associates Degree from Laredo Community College and has worked for Webb County for over twenty-three years. He stated that he started in Data Entry, then moved on to be a Programmer, then M.I.S. Assistant Director and most recently as Interim M.I.S. Director.

What can be expected from the M.I.S. Department if you are appointed M.I.S. Director?

Mr. Flores stated that he would continue to work with the department heads and elected officials. He stated that he would look into possible establishing e-commerce in those departments that deal with monies as well as update the systems and possible go wireless.

What are your strengths and weaknesses?

Mr. Flores stated that his strengths are working hard and getting the job done and his weakness is communication.

Hector Rene Garcia – Present

Mr. Hector Rene Garcia stated that he has a Bachelors Degree in Computer Information Systems from Texas State University and is an instructor at LCC. He stated that he has twenty years experience in working with computers. He stated that he is a former Webb County employee of fifteen years. He stated that he worked with the county's delinquent tax attorneys in setting them up to the AS 400 system and to the Appraisal District's system. He stated that he also set up the Juvenile Department's network. He stated that he is familiar with the different county departments and has provided training to them in the past. He stated that the County's website needed to be maintained as well as have the computer users properly trained.

### Ignacio G. Gutierrez – Present

Mr. Ignacio C. Gutierrez stated that he has ten years experience with different contractors including school districts, government agencies, TAMU and others. He stated that he comes from a security background and understands the importance of proper security.

When have you disagreed with management/client and what have you done to remedy the situation?

Mr. Gutierrez stated that the affected parties must meet to discuss their concerns and possible solutions. He stated that there have been times when he has been proven wrong.

What would be your main priority if appointed M.I.S. Director?

Mr. Gutierrez stated that his main priority would be evaluate the office and services rendered and then enhance those skills that may be lacking.

What can be done or purchased to advance the IT technology?

Mr. Gutierrez stated that the security needed to be increased and that the computers should be used as a tool and nothing else.

How would you handle having to answer to one court with five members with different minds?

Mr. Gutierrez stated that it would be a balancing act and that his intention would be to do what is best for everyone and to bring new technology to the county.

What responsibilities do you understand this position to entail?

Mr. Gutierrez stated that he would be responsible for providing the best access and service and eliminate the amount of problems that users come across. He stated that enjoys the ability to be challenged by the user and is a strong advocate of training sessions.

### Paul De La Pena - Present

Mr. Paul De La Pena stated that he would need to develop a needs assessment and inventory of all the computer equipment as well as develop a total cost analysis of what is necessary to upgrade the current system and what monies can be used to purchase equipment. He stated that the website would need to be re-designed and managed properly. He stated that he would work to provide employees and visitors with wireless hotspots.

How did you come to the opinion that monies set aside for upgrades could be used to purchase equipment?

Mr. De La Pena stated that he has visited the department and reviewed its budget. He stated that there is equipment available on the market for less money that what is being spent on repairs of the current antiquated system.

If updates are being performed every 18 months, how would it be possible to upgrade the system without going over budget?

Mr. De La Pena stated that hardware can be upgraded by purchasing the appropriate software. He stated that he can work within the confines of the budget but feels that monies are being ill-spent on maintenance and subscriptions. He stated that



every department has the ability to purchase equipment but felt that it needed to be streamlined.

What can be done to reward and recognize the staff?

Mr. De La Pena stated that he is a very positive person. He stated that if an employee is performing their job adequately, their performance should be rewarded to include verbal praise. He stated that everyone has different levels of responsibility and leadership so the rewards would also depend on that. He stated that he would also want to incorporate the usage of interns to try and expand the staff without going over budget.

Cmr. Garza stated that regardless of the court's decision, a lot of fine applicants were interviewed and would like for the motion made to include a statement that if the current interim M.I.S. Director is not appointed, that he remain within the department in his previous position.

Cmr. Sciaraffa motioned to appoint Mr. Paul De La Pena as M.I.S. Director and for Mr. Eduardo Flores to remain as Assistant M.I.S. Director. Cmr. Gutierrez seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that the court needed to clarify a start date and salary. He stated that if neither is stated, the start date would be effective immediately and would receive the maximum salary budgeted.

Cmr. Sciaraffa amended his motion to begin effective immediately at a salary of \$65,915.

Mr. Carlos Villarreal, Executive Administrator, stated that the correct salary should be \$66,890 and request that the begin date be tomorrow.

Cmr. Sciaraffa amended his motion to begin effective tomorrow at a salary of \$66,890. Cmr. Gutierrez amended her second.

Motion carried 5-0 by unanimous consent.

RECESS (3:35 PM to 3:50 PM)

Item No. 17      Discussion and possible action to appoint a new director for the Community Action Agency with possible interviewing by the court of each applicant in turn.

Cmr. Sciaraffa motioned to move into Executive Session to consult with the county attorney.

Mr. Homero Ramirez, County Attorney, stated that the Open Meetings Act allowed the court to go into Executive Session to discuss legal matters even if the item was not posted for Executive Session. He stated that he would prefer to speak with Cmr. Sciaraffa first to see if it would merit going into Executive Session. After speaking with Cmr. Sciaraffa, Mr. Ramirez stated that it was not necessary to go into Executive Session.

Cmr. Garza motioned to expand the search for CAA director in order to get a larger slate of candidates. Cmr. Gutierrez seconded the motion.

Motion failed 2-3 with Judge Bruni, Cmr. Sciaraffa and Cmr. Cortez-Brunner voting against.

Mr. Raul Casso, Chief of Staff, advised the court that an application from Ms. Tatiana Fryor was received one day late and that she had been advised that she would not be considered since it was received after the deadline. Mr. Eloy Ramirez, Purchasing Agent, stated that he cannot make the decision as to whether an applicant is qualified and stated that Ms. Fryor did not meet the deadline set by the court. He stated that it was up to court whether or not to consider her application.

Cmr. Sciaraffa motioned to re-bid and include the applications already received and to come back to the court in the shortest amount of time. Cmr. Gutierrez seconded the motion.

Cmr. Cortez-Brunner stated that the applicants have been waiting a long time for this and that it was unfair to those who submitted their applications on time.

Cmr. Sciaraffa amended his motion to include authorizing the Purchasing Agent to advertise for ten (10) days. Cmr. Gutierrez amended her second.

Motion carried 3-2 with Judge Bruni and Cmr. Cortez-Brunner voting against.

Mr. Homero Ramirez, County Attorney, recommended that future proposals and bids state that they must be 'received by' instead of 'mail by' since the mail box rule applies on delivery.

Item No. 18      Discussion and possible action to authorize the County Auditor to identify savings in the personnel budgets of all General Fund Departments and to transfer \$170,000.00 from any such savings to the Groceries line item in the Jail Purchasing Department, and to transfer any remaining funds in such savings to line items in the Sheriff's Bargaining Unit Jail Division Department as needed.

Cmr. Cortez-Brunner motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Rick Flores, County Sheriff, thanked the Tax Assessor Collector for allocating \$20,000 from her personnel fund if needed. Mr. Leo Flores, County Auditor, stated that the county attorney also allocated \$50,000. He stated that they will transfer some monies from personnel saving in other departments to the groceries line item.

- Item No. 19      Discussion and possible action to relocate two CAA offices to the Tex-Mex Building and allocate these offices at the administration building to the Human Resources Department.

Cmr. Gutierrez motioned to approve the item as submitted.    Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Cortez-Brunner not present for voting.

- Item No. 20      Discussion and possible action to approve the following line item transfer:

From:	001-1004-7001	Indigent Defense	\$15,000.00
To:	001-1004-6024-30	Court Appointed Attorneys	\$15,000.00

Cmr. Gutierrez motioned to approve the item as submitted.    Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Cortez-Brunner not present for voting.

- Item No. 21      Discussion and Possible action to approve "Category B" Elections, as per the Governing Regulations of the Advisory Board of the Webb County Community Action Agency, due to an upcoming vacancy in October 2005 (the Advisory Board shall be composed of membership that complies with the Community Services Block Grant Policy Issuance # 2002-2.3). The "Category B" shall consist of members who will be elected by the residents in the areas of the County they will represent. Elections will be held in October 25, 2005, for Representative and Alternate for the area AREA II – Santa Cruz-Holy Redeemer/ Ladrillera.

Cmr. Gutierrez motioned to approve the item as submitted.    Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Cortez-Brunner not present for voting.

- Item No. 22      Discussion and Possible action to approve "Category B" Elections, as per the Governing Regulations of the Advisory Board of the Webb County Community Action Agency, due to current vacancy (the Advisory Board shall be composed of membership that complies with the Community Services Block Grant Policy Issuance # 2002-2.3). The "Category B" shall consist of members who will be elected by the residents in the areas of the County they will represent). Elections will be held on Tuesday August 16, 2005, for Representative and Alternate for the area AREA IV –Azteca – Guadalupe.

Cmr. Gutierrez motioned to approve the item as submitted.    Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Cortez-Brunner not present for voting.

- Item No. 23      Discussion and possible action of approval to grant County Auditor, authority to expend funds from the Rural Transportation Program (El Aguila), effective September 1, 2005, pending the receipt of all required grant documents.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Cortez-Brunner not present for voting.

- Item No. 24      Discussion and possible action to enter into a construction contract with Gilbert Texas Construction, L.L.C. in the amount of ONE MILLION NINE HUNDRED NINETY-ONE THOUSAND EIGHT HUNDRED TWENTY-THREE DOLLARS AND FIFTY CENTS (\$1,991,823.50) for the paving of streets and storm drainage improvements within the City of El Cenizo, Texas and authorizing the County Judge to sign all relevant documents and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Mr. Tomas Rodriguez, County Engineer, stated that this construction contract was being funded from the Border Colonias Access Program under TX Dot. He stated that they were granted an extension and were able to begin the street paving. He stated that they received bids on this project approximately 6 weeks ago and performed some value engineering in order to bring the total cost to under \$2 million. Mr. Homero Ramirez, County Attorney, stated that the draft agreement is ready to go.

Motion carried 4-0 with Cmr. Cortez-Brunner not present for voting.

- Item No. 25      Discussion and possible action to enter into a construction contract with Gilbert Texas Construction, L.L.C. in the amount of SEVEN HUNDRED TWENTY-FIVE THOUSAND NINE HUNDRED SEVENTY-FIVE DOLLARS (\$725,975.00) for storm drainage improvements within the City of Rio Bravo, Texas and authorizing the County Judge to sign all relevant documents and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Cortez-Brunner not present for voting.

- Item No. 26      Discussion and possible action to enter into Mental Health Service Agreement for Children enrolled in the Webb County Head Start Program for a period of one year, at reduced fees as set forth in the agreement with the following Service Provider:  
Cervantes Counseling Center- 08/01/05-07/31/06  
and authorizing an Exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to sign all relevant documents.  
[Requested by Head Start]

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Mr. Homero Ramirez, County Attorney, recommended that this item be addressed by someone from the Head Start Department. He stated that generally professional services are exempt from competitive bidding as per order by the court. Ms. Rosa Perez, Head Start department, stated that Ms. Aliza Oliveras, Head Start Director, was out of town and would bring the item back at the next meeting.

Cmr. Sciaraffa motioned to table the item. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 27      Discussion and possible action to enter into Non-Financial Cooperative Agreements for the Head Start Program with the following Agencies, Political Subdivisions, Corporations for a period of one (1) year:
1. American Cancer Society (8/1/2005 through 7/31/06)
  2. Literacy Volunteers of Laredo (9/1/05 through 7/31/06)
  3. Gateway Community Health Center, Inc., for the "Lado a Lado" Program 8/1/2005 through 7/31/06)
  4. Laredo Children's Museum (8/1/2005 through 7/31/06)
  5. Catholic Social Services (8/1/2005 through 7/31/06)
  6. City of Laredo for the Laredo Public Library (9/1/2005 through 8/31/06)
  7. Attorney General of TX Child Support Enforcement Division (8/1/05 through 8/31/06) and
- authorizing the County Judge to execute all relevant documents.  
[Requested by Head Start].

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 28      Discussion and possible action to enter into Non-Financial Cooperative Agreements for the Head Start Program with the following Agencies, Political Subdivisions, Corporations for a period of two (2) years

(August 1, 2005 to July 31, 2007):

1. Community Action Corporation Project Niños Childhood Intervention Program
2. Laredo Independent School District
3. United Independent School District

and authorizing the County Judge to execute all relevant documents.  
[Requested by Head Start]

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 29 Discussion and possible action to enter into Medical Health Services Agreements for Children enrolled in the Webb County Head Start Program for a period of one year, at reduced fees as set forth in the agreements, with the following Service Providers:  
Dr. Avelino Alvarez – 09/01/2005 through 08/31/2007  
Dr. Amando Garza – 09/01/2005 through 08/31/2007  
Dr. Gustavo Villarreal – 09/01/2005 through 08/31/2007  
and authorizing an Exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents.

Cmr. Gutierrez motioned to approve the item as submitted. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 30 Discussion and possible action to clarify the Mental Health Service Agreement with Guillermo E. Gonzalez, Jr., Ph.D. The agreement is for a period of twenty-four (24) months beginning August 1, 2004 through July 31, 2006, and authorizing the County Judge to sign all relevant documents.

Cmr. Garza motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 31 Discussion and possible action to enter into Speech Therapy Service Agreement for Children enrolled in the Webb County Head Start Program for a period of one year, at reduced fees as set forth in the agreements, with the following Service  
Provider: Terry Kimmel – 08/01/05 through 7/31/06  
and authorizing an Exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements)

and authorizing the County Judge to sign all relevant documents.  
[Requested by Head Start]

Cmr. Cortez-Brunner motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32 Discussion and possible action authorizing the County Judge to sign a division order for Well WCSL 1383 "L" 11, being located on Webb County School Land Survey 1383, Abstract 503 with first sales of gas having been made on April 30, 2005 and any matters incident thereto.
- Item No. 33 Discussion and possible action authorizing the County Judge to sign a division order for Well WCSL 1383 "L" 13, being located on Webb County School Land Survey 1383, Abstract 503 with first sales of gas having been made on April 20, 2005 and any matters incident thereto.
- Item No. 34 Discussion and possible action authorizing the County Judge to sign a division order for Well WCSL 1383 "L" 15, being located on Webb County School Land Survey 1383, Abstract 503 with first sales of gas having been made on March 27, 2005 and any matters incident thereto.
- Item No. 35 Discussion and possible action authorizing the County Judge to sign a division order for Well WCSL 1383 "L" 19, being located on Webb County School Land Survey 1383, Abstract 503 with first sales of gas having been made on April 16, 2005 and any matters incident thereto.
- Item No. 36 Discussion and possible action authorizing the County Judge to sign a division order for Well WCSL 1383 "L" 8, being located on Webb County School Land Survey 1383, Abstract 503 with first sales of gas having been made on April 16, 2005 and any matters incident thereto.

Cmr. Sciaraffa motioned to approve Item No. 32, No. 33, No. 34, No. 35 and No. 36 as submitted. Cmr. Cortez-Brunner seconded the motion.

Judge Bruni asked the following:

- 1) Do the orders amend or change the current leases?
- 2) Do the order reflect the royalty interest in the lease?

Mr. Homero Ramirez, County Attorney, responded as follows:

- 1) He recommended that an oil and gas attorney review and submit a recommendation to the court.

2) He stated that he cannot confirm the information requested. He recommended that all oil and gas matters be forwarded to Mr. Watts. He recommended that these items be tabled until they can be reviewed.

Cmr. Gutierrez motioned to table Item No. 32, No. 33, No. 34, No. 35 and No. 36.  
Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 37      Discussion and possible action to enter into a forty-eight (48) month (June 23, 2005 to June 22, 2009) "Detection System Sale and Service Agreement" with Laredo Alarm to provide fire alarm detection services at the Justice of the Peace Precinct 2, Place 1 Office at a monthly cost of FIFTY DOLLARS (\$50.00) for a total of TWO THOUSAND FOUR HUNDRED DOLLARS (\$2,400.00) over the term of the agreement and one-time costs for the Inspection and Programming (\$250.00) and the Wireless Monitor ( \$499.00) for a total cost of THREE THOUSAND ONE HUNDRED AND FORTY-NINE DOLLARS (\$3,149.00) and authorizing the County Judge to execute all relevant documents. [Requested by Justice of Peace Precinct 2, Place 1, Account No. 001-0106-6401 (Repairs and Maintenance)].

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 38      Discussion and possible action to authorize the following line item transfer:

From:	001-1101-6014	Equipment Rental	\$1,400.00
	001-1101-6403	Repairs Maint. of Vehicles	\$1,200.00
	001-1101-5602	Local Mileage	\$ 400.00
To:	001-1101-6022	Prof. Services	\$ 600.00
	001-1101-6005	Postage	\$ 800.00
	001-1101-6205	Mat/Supplies	\$ 800.00
	001-1101-6204	Fuel/Lube	\$ 800.00

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 39      Discussion and possible action to adopt a resolution to participate in TexSTAR and submit an application for TexSTAR (Texas Short Term Asset Reserve Program) and become a participant in TexSTAR, subject to Webb County's Investment Policy, and authorizing the County Judge to sign all relevant documents



Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 40 Discussion and possible action on approving a resolution authorizing the submission of a grant application to the Texas Department of Housing and Community Affairs HOME Investment Partnership Program. This program would provide funding for the contract for deed conversion with rehabilitation/reconstruction assistance to homes of low to very low income families residing in Webb County's colonias. Grant amount not to exceed \$520,000.00. No Cash Match.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 41 Discussion and possible action to approve the appointment of a presiding judge and an alternate judge for each election precinct pursuant to chapter 32, Texas election code, for a two-year period beginning August 1, 2005 and terminating July 31, 2007.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 42 Discussion and Possible Action Authorizing Final Payment and Retainage to Gilbert Texas Construction, Inc. in the amount of \$92,671.29.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 43 Discussion and Possible Action Authorizing the Purchasing Agent and County Engineer to advertise for bids the "Test Hole Drilling and Testing" as per specifications prepared by R. W. Harden & Associates, Inc. for the proposed water well to be located at Webb County School Lands on Hwy 44.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 44      Discussion and Possible Action Approving Change Order No. 3 to Caldwell Tanks Inc., Adjusting Contract Time of Completion by adding 94 calendar days to their contract to construct an Elevated Tank inside the City of El Cenizo, at no cost to the County. This is subject to Texas Water Development Board's approval.

Cmr. Gutierrez motioned to approve the item as submitted.   Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 45      Discussion and Possible Action Approving Amendment No. 1 to Naismith Engineering, Inc. in the amount of \$9,000.00 increasing the contract to \$120,100.00 for the design of an Elevated Tank inside the City of El Cenizo. This is subject to Texas Water Development Board's approval.

Cmr. Sciaraffa motioned to approve the item as submitted.   Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 46      Discussion and Possible Action Authorizing the County Judge to execute a 12 foot by 130 foot tract (1,560 square feet) electrical utility easement with AEP/CPL for the Regional Water Treatment Plant located at 515 Martha Drive in Rio Bravo, Texas.

Cmr. Sciaraffa motioned to approve the item as submitted.   Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 47      Discussion and Possible Action Authorizing Change Order No. 1 to Puma Builders in the amount of \$7,485.00, for the following items of the Records Management Bldg:

1. Adding cabling and terminations for data system
2. Trenching and boring for data system to Agricultural Building
3. Eliminated Item 15c from Value Engineering and install lighting as per original electrical design

Cmr. Gutierrez motioned to approve the item as submitted.   Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 48      Discussion and possible action to fill Electrician slot #0021 at \$12.25 per hour and charge to account 001-0106-5001 payroll.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 49      Discussion and possible action to ratify the Head Start Child and Adult Care Food Program Budget Amendment for FY 2004 - 2005 (October 1, 2004 - September 30, 2005).

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 50      Discussion and possible action to fill slot #925, (Maintenance Outreach (Worker) from within the County up to \$ 9.47 per hour effective July 25, 2005.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 51      Discussion and possible action to approve the following line item transfer:

From:	001-1040-6010	Books & Subscriptions	\$ 400.00
	001-1040-6402	Equipment Maintenance	\$ 600.00
To:	001-1040-6022	Professional Services	\$1,000.00

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 52      Discussion and possible action to approve the following line item transfer:

From:	001-1102-6007	Dues & Memberships	\$ 200.00
	001-1102-6028	Witness Expenditure	\$ 475.00
	001-1102-6950	Investigative Expenditures	\$ 100.00
To:	001-1102-6010	Books & Subscription	\$ 775.00
From:	001-1102-6022	Prof Service	\$ 300.00
To:	001-1102-5601	Adm. Travel	\$ 300.00

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 53      Discussion and possible action to solicit Request for Proposals (RFP) for a "Design Build" Tool Library building adjacent to and as part of the complex of the Webb County Self-Help Center.

Cmr. Gutierrez motioned to approve the item as submitted.    Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 54      Discussion and possible action to purchase seventeen (17) computers from Dell through the State of Texas Department of Information Resources Contract Number DRI-SDD-192 in the amount of THIRTY-ONE THOUSAND AND SIX HUNDRED TWENTY-FIVE DOLLARS (\$31,625.00) for the Webb County Attorney's Office.

Cmr. Gutierrez motioned to approve the item as submitted.    Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 55      Discussion and possible action to purchase firearms for the amount of \$5,592.00 plus freight from Sigarms for Constable Agustin "Tino" Juarez, Pct. 4.

Cmr. Gutierrez motioned to approve the item as submitted.    Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 56      Discussion and possible action to purchase surveying equipment related to GIS Mapping in the amount of \$18, 587.00 from ESRI for the Planning Department.

Judge Bruni motioned to approve the item as submitted.    Cmr. Gutierrez seconded the motion.

Cmr. Garza inquired as to what the use for this equipment and whether it would be compatible with the system used by the Appraisal District. Mr. Rafael Vidaurri, Planning Department, stated that this system was completely separate from that used by the Appraisal District. He stated that this would allow them to do instant mapping and work hand in hand with the county attorney. He stated that they will incorporate some items with the Appraisal District but that services will not be duplicated.

Motion carried 5-0 by unanimous consent.

- Item No. 57      Discussion and possible action to approve payment of NINE THOUSAND DOLLARS (\$9,000.00) of repairs made by Professional Golf Services to a pump at the Golf Course as recommended by the County Attorney, Homero Ramirez.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 58      Discussion and possible action to purchase two (2) Mobile-Vision In Car Video systems with two (2) extra microphones from L3 Communications Mobile-Vision, Inc. through a State Contract 840-A3 for the Laredo Multi-Agency Narcotics Task Force.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 59      Discussion and possible action to authorize the following line item transfer:

From:	010-7001-5601	Admin Travel \$ 2,977.00	
	010-7002-6205	Materials and Supplies	\$50,018.00
	001-0108-6205	Materials and Supplies	\$ 2,955.00
To:	010-7002-6703	Land Fill Fees	\$27,000.00
	010-7002-6014	Equipment Rental	\$ 4,950.00
	010-7002-6405	Road Maintenance	\$24,000.00

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 60      Adjournment

Cmr. Gutierrez motioned to adjourn the meeting. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.